

REMARKS

Summary of the Office Action

The drawings stand objected to under 37 C.F.R. § 1.83(a).

Claims 1, 3-4, 11-13, and 15-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 1209744 (EP744).

Claims 2, 5-10, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 1209744 (EP744) in view of EP 1096303 (EP303).

Summary of the Response

Applicants have amended the drawings and the specification. Applicants have added new claim 35. Accordingly, claims 1-16 and 35 are presently pending.

The Objection to the Drawings

The drawings stand objected to under 37 C.F.R. § 1.83(a). Specifically, the Office Action requires that the switching thin film transistors must be shown. Accordingly, Applicants have added re-labeled Figure 6 as Figure 6A and have added new Figure 6B. In addition, Applicants have amended the specification to corresponding reference these figures. Applicants respectfully submit that new Figure 6B would be recognized at least by comparison of the Background Art with the embodiments of the Detailed Description in the originally filed specification and drawings. For at least this reason, Applicants respectfully submit that Figure 6B does not introduce new matter. Therefore, Applicants respectfully request that the objection to the drawings be withdrawn.

The Rejections under 35 U.S.C. §§ 102(b) and 103(a)

Claims 1, 3-4, 11-13, and 15-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 1209744 (EP744). Claims 2, 5-10, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP744 in view of EP 1096303 (EP303). Applicants respectfully traverse the rejections for at least the following reasons.

With respect to independent claim 1, Applicants respectfully note that the display device of Figure 7D in EP744 is constructed from the bottom up starting with a glass substrate 25. That is, the glass substrate 25 serves as a TFT substrate with a circuit element portion 26', on which TFTs 26 are configured. On the TFTs 26, transparent electrodes 27 of ITO are formed with banks 28, 29 to divide the transparent electrodes 27. Then, luminous layers 35, 36, and 37 are formed with cathode 38 thereon. After the device elements are formed, the resulting structure is covered with an epoxy resin 39. In contrast, the claims relate to a structure having attached first and second substrates with TFTs on the first substrate and with a first electrode, sidewalls, an OEL layer and second electrodes on the second substrate. As such, Applicants respectfully submit that it is quite evident that the structure of EP744 is completely different from the claimed structure for at least the following reasons.

First, contrary to the assertions of the Office Action, Applicants respectfully assert that the epoxy resin 39 of the display device of Figure 7D in EP744 cannot and would not be considered by one of ordinary skill in the art to be a "second substrate" as claimed. Second, the display device of Figure 7D in EP744 lacks any structure that can be considered to be "sealant"

attaching first and second substrates. In fact, Applicants respectfully note that the Office Action does not specifically identify any structure allegedly corresponding to the claimed “sealant.”

Applicants respectfully note that the Office Action does not rely on EP303 with respect to these features or any feature of independent claim 1. Moreover, Applicants respectfully submit that EP303 cannot remedy any of the above-noted deficiencies.

Thus, because the structure of EP744 is completely different from the claimed structure, Applicants respectfully assert that the rejection of independent claim is improper and should be withdrawn. Further, Applicants respectfully assert that dependent claims 2-16 are allowable at least because of their respective dependencies from independent claim 1 and the reasons set forth above.

New Claim 35

Applicants have added new dependent claim 35 to further define the invention. Applicants respectfully assert that new dependent claim 35 is allowable at least because of the features recited therein and because of its dependence from independent claim 1.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. If the Examiner feels that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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